

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

082 7001

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/423546

INTERNATIONAL APPLICATION NO.
PCT/US98/09988INTERNATIONAL FILING DATE
15 May 1998 (15.05.1998)PRIORITY DATE CLAIMED
16 May 1997 (16.05.1997)

TITLE OF INVENTION

VACCINE AGAINST LIPOPOLYSACCHARIDE CORE

APPLICANT(S) FOR DO/EO/US

Ellie BENNETT-GUERRERO; George Robin BARCLAY; Ian Raymond POXTON; Thomas James MCINTOSH;
David Scott SNYDER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
- ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
- a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
- b. ☐ has been transmitted by the International Bureau.
- c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
- ☐ A copy of the International Search Report (PCT/ISA/210).
- ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
- a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
- b. ☐ have been transmitted by the International Bureau.
- c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
- d. ☒ have not been made and will not be made.
- ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
- ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 18 below concern document(s) or information included:

- ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ A **FIRST** preliminary amendment.
- A **SECOND** or **SUBSEQUENT** preliminary amendment.
- ☐ A substitute specification.
- ☐ A change of power of attorney and/or address letter.
- ☒ Certificate of Mailing by Express Mail
- ☐ Other items or information:

"Express Mail" label number: EL445347140US

Date of Deposit : 12 November 1999

I hereby certify that under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20251.

Samantha Bell
Samantha Bell

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

INTERNATIONAL APPLICATION NO.

ATTORNEY'S DOCKET NUMBER

09/4236

PCT/US98/09988

08213-007001

20. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Search Report has been prepared by the EPO or JPO \$840.00
- ☒ International preliminary examination fee paid to USPTO (37 CFR 1.482) \$670.00
- ☐ No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$760.00
- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970.00
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$670.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	61 - 20 =	41	x \$22.00	\$902.00	
Independent claims	4 - 3 =	1	x \$82.00	\$82.00	
Multiple Dependent Claims (check if applicable).			<input checked="" type="checkbox"/>	\$260.00	

TOTAL OF ABOVE CALCULATIONS =

\$1,914.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).

☐

\$0.00

SUBTOTAL =

\$1,914.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

+

\$0.00

TOTAL NATIONAL FEE =

\$1,914.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

☐

\$0.00

TOTAL FEES ENCLOSED =

\$1,914.00

Amount to be:	\$
refunded	
charged	\$

- ☒ A check in the amount of **\$1,914.00** to cover the above fees is enclosed.
- ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **06-1050** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

John W. Freeman
Fish & Richardson PC
225 Franklin Street
Boston, Massachusetts 02110

John W. Freeman
SIGNATURE

John W. Freeman

NAME

29,066

REGISTRATION NUMBER

DATE

11/12/99

OFFICIAL FILING RECEIPT CHECKLIST

F + R - 3

EL 445 347140US

PATENT

ATTORNEY DOCKET NO.: 08213-007001

The Patent and Trademark Office date stamp sets forth the receipt date (or both the receipt date and the Serial Number) of a patent application identified as follows:

Applicant: Elliot Bennett-Gruener, Inc.

Title: Vaccine Against Lipopolysaccharide Core

☒ Transmittal Letter
☒ Appln. 37 Pages of Spec. 6 Pages of Claims 61 Total Claims 1 Pages of Abstract
☐ Rule 62 Filing Request (FWC) Pages
☐ Assignment
☐ Deposit Account Order Form (2 copies)
☒ Check \$ 1914
☐ Small Entity Statement
☒ Drawings 3 Sheets Formal Sheets Informal
☐ Combined Declaration and Power of Attorney signed unsigned
☒ Preliminary Amendment - 6 Pages
☒ Information Disclosure Statement
☒ PTO 1449 Form - 2 Pages
☐ Prior Art References - Number of References
☐ Priority Document - Pages
☐ English Translation
☐ Other

09/423546

410 Rec'd PCT/PTO 12 NOV 1999

Atty/Sec: JWF Client/
Initials Matter Name

Date 11/12/99

TO BE COMPLETED WHEN OFFICIAL FILING RECEIPT ARRIVES

- () Serial numbers on the postcard and the filing receipt match
- () Filing dates on the postcard and filing receipt match
- () Filing fee (paid by check) and the filing fee received on the filing receipt match. If the filing fee was charged to the deposit account, the correct amount of the fee charged match
- () Attorney docket numbers on the postcard, the application and the filing receipt match
- () Number of sheets of drawings in the application, number noted on the postcard and number noted on the filing receipt match
- () Total number of claims in the application, noted in the transmittal letter and on the filing receipt match
- () Number of Independent claims in the application and noted in the transmittal letter and on the postcard match
- () Attorney named on the filing receipt and attorney named on the declaration/filing request match
- () Inventor(s) named on the filing receipt and the inventor(s) named in the declaration/filing request match
- () Title noted on filing receipt and on the application match

CHECKED BY: _____
PRACTICE SYSTEMS